

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

**HUMBERTO MORALES SANTIAGO
ANA MANUELA JIMENEZ SANCHEZ**

Debtors

CASE NO. **08-02881-MCF**

CHAPTER 13

**MOTION SUBMITTING A
POST-CONFIRMATION MODIFICATION OF PLAN**

TO THE HONORABLE COURT:

NOW COME debtors through the undersigned counsel and respectfully allege and pray:

1. The Trustee has filed an Unfavorable Report on Post Confirmation Modified Plan, alleging among other things the following: "*we ate month 31 of the plan's term, thus a lump sum of \$29,500.00 at month 30 would be a month overdue*", as seen on docket #72.
2. Debtors are filing a Post Confirmation Amended Plan to cure the Trustee's objection.

WHEREFORE, debtors pray this Honorable Court to grant this motion and admit the proposed amended plan.

CERTIFICATE OF ELECTRONIC FILING AND SERVICE

I hereby certify that on this date copy of this motion has been electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to ALEJANDRO OLIVERAS RIVERA, Chapter 13 Trustee, and also certify that I have mailed by United States Postal Service copy of this motion to the non CM/ECF participants.

NOTICE

Parties in interest are notified they have twenty (20) days to reject a proposed modification of a plan and request a hearing. Absent good cause, untimely rejections shall be denied.

RESPECTFULLY SUBMITTED.

In Guayama, Puerto Rico, this 17th day of December, 2010.

/s/
MANUEL E. FUSTER MARTINEZ
ATTORNEY FOR DEBTOR
PO BOX 1464
GUAYAMA, P.R. 00785
PHONE: (787) 864-3015
FAX: (787) 866-1827
E-MAIL: fuster_law_office@yahoo.com
USDC-PR 200513

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
Humberto Morales Santiago
Ana Manuela Jiménez Sánchez
DEBTOR(S)

BK CASE #: 08-2881-MCF

CHAPTER 13

Amended CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee directly by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <u>12/17/2010</u>	<input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>12/17/2010</u> FILED BY <input checked="" type="checkbox"/> DEBTOR <input type="checkbox"/> TRUSTEE <input type="checkbox"/> OTHER																																																		
I. PAYMENT PLAN SCHEDULE <table border="1"> <tr><td>\$ 1,200.00</td><td><input checked="" type="checkbox"/></td><td>12</td><td>=</td><td>\$ 14,400.00</td></tr> <tr><td>\$ 1,275.00</td><td><input checked="" type="checkbox"/></td><td>4</td><td>=</td><td>\$ 5,100.00</td></tr> <tr><td>\$ 1,375.00</td><td><input checked="" type="checkbox"/></td><td>7</td><td>=</td><td>\$ 9,625.00</td></tr> <tr><td>\$ 0.00</td><td><input checked="" type="checkbox"/></td><td>1</td><td>=</td><td>\$ 0.00</td></tr> <tr><td>\$ 1,475.00</td><td><input checked="" type="checkbox"/></td><td>1</td><td>=</td><td>\$ 1,475.00</td></tr> <tr><td>\$ 1,000.00</td><td><input checked="" type="checkbox"/></td><td>1</td><td>=</td><td>\$ 1,000.00</td></tr> <tr><td>\$ 1,690.00</td><td><input checked="" type="checkbox"/></td><td>22</td><td>=</td><td>\$ 37,180.00</td></tr> <tr><td>\$ 2,100.00</td><td><input checked="" type="checkbox"/></td><td>12</td><td>=</td><td>\$ 25,200.00</td></tr> <tr><td></td><td><input checked="" type="checkbox"/></td><td></td><td>=</td><td></td></tr> <tr><td></td><td><input checked="" type="checkbox"/></td><td></td><td>=</td><td></td></tr> </table> <p>Additional Payments: TOTAL = \$ 93,980.00 \$ 29,500.00 to be paid as a LUMP SUM within 24 months* with proceeds to come from <input type="checkbox"/> Sale of property identified as follows:</p> <p><input checked="" type="checkbox"/> Other: *Refinance of property located at Urb. Anajita, Calle Marginal E-3. Ponce, Puerto Rico</p> <p>Periodic Payments to be made other than, and in addition to the above. \$ <u> </u> <input checked="" type="checkbox"/></p> <p>PROPOSED BASE: \$ <u>123,480.00</u></p> <p>III. ATTORNEY'S FEES (Treated as § 507 Priorities)</p> <p>a. Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,000.00</u> b. Additional Fees: \$ <u>0</u> c. Adjusted Balance \$ <u>2,000.00</u></p>		\$ 1,200.00	<input checked="" type="checkbox"/>	12	=	\$ 14,400.00	\$ 1,275.00	<input checked="" type="checkbox"/>	4	=	\$ 5,100.00	\$ 1,375.00	<input checked="" type="checkbox"/>	7	=	\$ 9,625.00	\$ 0.00	<input checked="" type="checkbox"/>	1	=	\$ 0.00	\$ 1,475.00	<input checked="" type="checkbox"/>	1	=	\$ 1,475.00	\$ 1,000.00	<input checked="" type="checkbox"/>	1	=	\$ 1,000.00	\$ 1,690.00	<input checked="" type="checkbox"/>	22	=	\$ 37,180.00	\$ 2,100.00	<input checked="" type="checkbox"/>	12	=	\$ 25,200.00		<input checked="" type="checkbox"/>		=			<input checked="" type="checkbox"/>		=	
\$ 1,200.00	<input checked="" type="checkbox"/>	12	=	\$ 14,400.00																																															
\$ 1,275.00	<input checked="" type="checkbox"/>	4	=	\$ 5,100.00																																															
\$ 1,375.00	<input checked="" type="checkbox"/>	7	=	\$ 9,625.00																																															
\$ 0.00	<input checked="" type="checkbox"/>	1	=	\$ 0.00																																															
\$ 1,475.00	<input checked="" type="checkbox"/>	1	=	\$ 1,475.00																																															
\$ 1,000.00	<input checked="" type="checkbox"/>	1	=	\$ 1,000.00																																															
\$ 1,690.00	<input checked="" type="checkbox"/>	22	=	\$ 37,180.00																																															
\$ 2,100.00	<input checked="" type="checkbox"/>	12	=	\$ 25,200.00																																															
	<input checked="" type="checkbox"/>		=																																																
	<input checked="" type="checkbox"/>		=																																																
II. DISBURSEMENT SCHEDULE <p>A. ADEQUATE PROTECTION PAYMENTS CR _____ \$ _____</p> <p>B. SECURED CLAIMS.</p> <p><input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:</p> <p>1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. <u>B.B.V.A.</u> Cr. <u>Daimler Chrysler</u> Cr. <u> </u> # <u>14</u> # <u>12</u> # <u> </u> \$ <u>1,172.98</u> \$ <u>848.41</u> \$ <u> </u></p> <p>2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____</p> <p>3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____</p> <p>4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: Shares to Gerencoop</p> <p>5. <input type="checkbox"/> OTHER:</p> <p>6. <input checked="" type="checkbox"/> Debtor Otherwise maintains regular payments directly to: BBVA and Daimler Chrysler</p> <p>C. PRIORITIES. The Trustee shall pay priorities in accordance with the law. (II U.S.C. § 507 and § 1322 (a)(2))</p> <p>D. UNSECURED CLAIMS. Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other. Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ (b) <input type="checkbox"/> Other:</p> <p>2. Unsecured Claims otherwise receive PRO-RATA disbursements</p> <p>OTHER PROVISIONS: (Exculpatory contracts; payment of interest to unsecured, etc.)</p>																																																			

ATTORNEY FOR DEBTOR: MANUEL E. FUSTER MARTINEZ Phone: 787-864-3015